

REMARKS

Claims 1-25 were pending in this application when last examined. Claims 1, 4, 10, 13 and 14 are canceled, claims 2, 3, 5, 6, 9, 11, 12 and 21-23 are currently amended and new claims 26-28 have been added.

Support for the amendments can be found in the specification and original claims as filed. No new matter has been added.

ALLOWABLE SUBJECT MATTER

Applicants graciously acknowledge that the Office Action indicates claims 21 and 25 are allowed and that claim 24 is allowable. The present amendment amends the claims to fall within the allowed subject matter.

CLAIM REJECTION - 35 USC § 103

At page 3, the Office Action rejects claims 1-20 and 22-23 under 35 U.S.C. § 103(a) as being unpatentable over AGERUP (US 5,827,937) in view of MILLER (US 6,174,999). Applicants respectfully traverse the rejection.

The Office Action considers claims 21 and 25 allowed. Claims 2-3, 5-9, 11-12, 15-20 and 22 depend from claim 21 and claims 23-24 depend from claim 25. Also, claims 1, 4, 10, 13 and 14 have been canceled, thus obviating the rejection. Accordingly,

Applicants request reconsideration and withdrawal of the rejection.

NEW CLAIMS 26-28

New claim 26 is directed to a process for the production of a biocompatible crosslinked polydensified monophasic gel. Similar to allowed claim 21, the process includes a series of successive steps leading to the polydensified monophasic gel. Claim 26 includes the same steps as claim 21 with an additional step (c) of adding a supplemental quantity of crosslinking agent. Support for this step can be found in original claim 1 wherein this step was "optional." Claims 27 and 28 depend from claim 26. Thus, claims 26-28 are also directed to allowable subject matter.

CONCLUSION

Entry of the above amendments is earnestly solicited. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any

additional fees required under 37 C.F.R. § 1.16 or under 37
C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/H. James Voeller/
H. James Voeller, Reg. 48,015
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

HJV/msd